

be made available for such contribution for the fiscal year 1982.

(Pub. L. 89-369, § 26, as added Pub. L. 97-35, title XIII, § 1352(a), Aug. 13, 1981, 95 Stat. 744.)

#### EFFECTIVE DATE

Section effective Aug. 13, 1981, except that any funds authorized to be appropriated shall not be available for use or obligation prior to Oct. 1, 1981, see section 1372 of Pub. L. 97-35, set out as a note under section 290i of this title.

### § 285x. Additional subscription to shares

#### (a) United States share

(1) The United States Governor of the Bank is authorized to subscribe on behalf of the United States to one hundred twenty-three thousand three hundred and seventy-five additional shares of the capital stock of the Bank.

(2) Any subscription to the capital stock of the Bank shall be effective only to such extent or in such amounts as are provided in advance in appropriation Acts.

#### (b) Authorization of appropriations

In order to pay for the increase in the United States subscription to the Bank provided for in subsection (a) of this section, there are authorized to be appropriated, without fiscal year limitation, \$1,322,999,476 for payment by the Secretary of the Treasury.

#### (c) Continued membership of Republic of China in Bank

(1) The Congress hereby finds that—

(A) the Republic of China (Taiwan) is a charter member in good standing of the Asian Development Bank;

(B) the Republic of China has grown from a borrower to a lender in the Asian Development Bank; and

(C) the Republic of China provides, through its economic success, a model for other nations in Asia.

(2) It is the sense of the Congress that—

(A) Taiwan, Republic of China, should remain a full member of the Asian Development Bank, and that its status within that body should remain unaltered no matter how the issue of the People's Republic of China's application for membership is disposed of;

(B) the President and the Secretary of State should express support of Taiwan, Republic of China, making it clear that the United States will not countenance attempts to expel Taiwan, Republic of China, from the Asian Development Bank; and

(C) the Secretary of the Senate and Clerk of the House shall transmit a copy of this resolution to the President with the request that he transmit such copy to the Board of Governors of the Asian Development Bank.

(Pub. L. 89-369, § 27, as added Pub. L. 98-181, title X, § 1002, Nov. 30, 1983, 97 Stat. 1285.)

### § 285y. Additional contribution to special funds; authorization of appropriations

(a)(1) The United States Governor of the Bank is authorized to contribute on behalf of the United States \$520,000,000 to the Asian Development Fund, a special fund of the Bank.

(2) Any commitment to make the contribution authorized in paragraph (1) shall be made subject to obtaining the necessary appropriations.

(b) In order to pay for the United States contribution to the Asian Development Fund provided for in this section, there are authorized to be appropriated, without fiscal year limitation, \$520,000,000 for payment by the Secretary of the Treasury.

(Pub. L. 89-369, § 28, as added Pub. L. 98-181, title X, § 1002, Nov. 30, 1983, 97 Stat. 1286.)

### § 285z. Additional contribution to special funds; authorization of appropriations

(a) The United States Governor of the Bank is authorized to contribute on behalf of the United States \$584,280,000 to the Asian Development Fund, a special Fund of the Bank, except that any commitment to make such contributions shall be made subject to obtaining the necessary appropriations.

(b) In order to pay for the United States contribution provided for in subsection (a) of this section, there are authorized to be appropriated, without fiscal year limitation, \$584,280,000 for payment by the Secretary of the Treasury.

(Pub. L. 89-369, § 29, as added Pub. L. 100-202, § 101(e) [title I], Dec. 22, 1987, 101 Stat. 1329-131, 1329-134.)

#### CODIFICATION

Section 29 of Pub. L. 89-369 is based on section 201 of title II of H.R. 3750, One Hundredth Congress, as introduced Dec. 11, 1987, and enacted into law by Pub. L. 100-202.

### § 285aa. Capital increase

#### (a) Subscription authorized

(1) The United States Governor of the Bank may subscribe on behalf of the United States to 35,230 additional shares of the capital stock of the Bank. (2) Any subscription by the United States to the capital stock of the Bank shall be effective only to such extent or in such amounts as are provided in advance in appropriations Acts.

#### (b) Limitations on authorization of appropriations

In order to pay for the increase in the United States subscription to the Bank provided for in subsection (a) of this section, there are authorized to be appropriated, without fiscal year limitation, \$213,000,000 for payment by the Secretary of the Treasury.

(Pub. L. 89-369, § 30, as added Pub. L. 102-145, § 125(b), as added Pub. L. 102-266, § 102, Apr. 1, 1992, 106 Stat. 97.)

### SUBCHAPTER XV—INTERNATIONAL MONETARY FUND AND BANK FOR RECONSTRUCTION AND DEVELOPMENT

#### SUBCHAPTER REFERRED TO IN OTHER SECTIONS

This subchapter is referred to in sections 286q, 290k-5, 290l-2 of this title.

### § 286. Acceptance of membership by United States in International Monetary Fund

The President is hereby authorized to accept membership for the United States in the Inter-

national Monetary Fund (hereinafter referred to as the “Fund”), and in the International Bank for Reconstruction and Development (hereinafter referred to as the “Bank”), provided for by the Articles of Agreement of the Fund and the Articles of Agreement of the Bank as set forth in the Final Act of the United Nations Monetary and Financial Conference dated July 22, 1944, and deposited in the archives of the Department of State.

(July 31, 1945, ch. 339, §2, 59 Stat. 512.)

#### SHORT TITLE OF 1968 AMENDMENT

Pub. L. 90-349, June 19, 1968, 82 Stat. 188 [enacting sections 286n to 286r of this title and amending sections 412, 415, 417, and 467 of Title 12, Banks and Banking], is known as the “Special Drawing Rights Act”. For complete classification of this Act to the Code, see Short Title note set out under section 286n of this title and Tables.

#### SHORT TITLE

Section 1 of act July 31, 1945, provided: “This act [enacting this subchapter and amending section 822a of former Title 31, Money and Finance] may be cited as the ‘Bretton Woods Agreements Act’.”

#### PAR VALUE MODIFICATION

For Congressional direction that the Secretary of the Treasury maintain the value in terms of gold of the holdings in United States dollars of the International Monetary Fund and of the International Bank for Reconstruction and Development following the establishment of a par value of the dollar at \$38 for a fine troy ounce of gold pursuant to the Par Value Modification Act and for the authorization of the appropriation necessary to provide such maintenance of value, see section 5152 of Title 31, Money and Finance.

#### CROSS REFERENCES

Advancement of human rights through United States assistance policies with international financial institutions, see section 262d of this title.

Increase in lending authority of the Export-Import Bank of Washington, see sections 635 to 635h of Title 12, Banks and Banking.

United States membership in the United Nations Food and Agriculture Organization, see sections 279 to 279d of this title.

### § 286a. Appointments

#### (a) Governors and executive directors; term of office

The President, by and with the advice and consent of the Senate, shall appoint a governor of the Fund who shall also serve as a governor of the Bank, and an executive director of the Fund and an executive director of the Bank. The executive directors so appointed shall also serve as provisional executive directors of the Fund and the Bank for the purposes of the respective Articles of Agreement. The term of office for the governor of the Fund and of the Bank shall be five years. The term of office for the executive directors shall be two years, but the executive directors shall remain in office until their successors have been appointed.

#### (b) Alternates; term of office

The President, by and with the advice and consent of the Senate, shall appoint an alternate for the governor of the Fund and an alternate for the governor of the Bank. The President, by and with the advice and consent of the Senate,

shall appoint an alternate for each of the executive directors. The alternate for each executive director shall be appointed from among individuals recommended to the President by the executive director. The terms of office for alternates for the governor and the executive directors shall be the same as the terms specified in subsection (a) of this section for the governor and executive directors.

#### (c) Governor to serve as councillor; alternates and associates

Should the provisions of Schedule D of the Articles of Agreement of the Fund apply, the Governor of the Fund shall also serve as councillor, shall designate an alternate for the councillor, and may designate associates.

#### (d) Compensation for services

(1) No person shall be entitled to receive any salary or other compensation from the United States for services as a Governor, executive director, councillor, alternate, or associate.

(2) The United States executive director of the Fund shall not be compensated by the Fund at a rate in excess of the rate provided for an individual occupying a position at level IV of the Executive Schedule under section 5315 of title 5. The United States alternate executive director of the Fund shall not be compensated by the Fund at a rate in excess of the rate provided for an individual occupying a position at level V of the Executive Schedule under section 5316 of title 5.

(3) The Secretary of the Treasury shall instruct the United States executive director of the Fund to present to the Fund's Executive Board a comprehensive set of proposals, consistent with maintaining high levels of competence of Fund personnel and consistent with the Articles of Agreement, with the objective of assuring that salaries and other compensation accorded Fund employees do not exceed those received by persons filling similar levels of responsibility within national government service or private industry. The Secretary shall report these proposals together with any measures adopted by the Fund's Executive Board to the Congress prior to February 1, 1979.

(July 31, 1945, ch. 339, §3, 59 Stat. 512; Aug. 15, 1973, Pub. L. 93-94, 87 Stat. 314; Oct. 19, 1976, Pub. L. 94-564, §2, 90 Stat. 2660; Oct. 10, 1978, Pub. L. 95-435, §2, 92 Stat. 1051.)

#### AMENDMENTS

1978—Subsec. (d). Pub. L. 95-435 designated existing provisions as par. (1) and added pars. (2) and (3).

1976—Subsec. (c). Pub. L. 94-564, §2(1), amended subsec. (c) generally to provide that the Governor serve as councillor and designate an alternate and associates. Former provisions relating to compensation were included in subsec. (d).

Subsec. (d). Pub. L. 94-564, §2(2), added subsec. (d).

1973—Subsec. (b). Pub. L. 93-94 substituted “and an alternate for the governor of the Bank” for “who shall also serve as alternate for the governor of the Bank”.

#### EFFECTIVE DATE OF 1976 AMENDMENT

Section 9 of Pub. L. 94-564 provided that: “The amendments made by sections 2, 3, 4, 5, 6, and 7 of this Act [amending this section, sections 286c, 286e-2, 286o, 286g, and 286r of this title, and section 822a of former Title 31, Money and Finance] shall become effective